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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/554,978

10/28/2005

Shahara Khaleque

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23617 7590 10/02/2008  
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EXAMINER

PAGAN, JENINE MARIE

ART UNIT

PAPER NUMBER

3728

MAIL DATE

DELIVERY MODE

10/02/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/554,978	<b>Applicant(s)</b> KHALEQUE, SHAHARA	
	<b>Examiner</b> JENINE M. PAGAN	<b>Art Unit</b> 3728	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,5 and 10-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,5 and 10-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

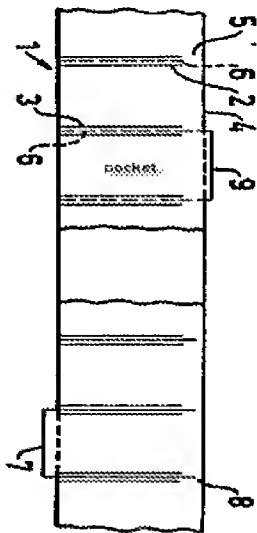
1. This Office Action acknowledges the applicant's amendment filed 8 July 2008.

Claims 1, 5 and 10-21 are pending in the application.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### *Information Disclosure Statement*

2. The information disclosure statement (IDS) submitted on 10/28/2005 and the copies of the foreign applications are being considered by the examiner.



### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5 and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Norberg (EP 126833 A) disclosed on Applicant's IDS.

**Claim 1:** Norberg discloses an information display arrangement (Col 2:4-13 and Col 3:3-11):

- a plurality of pockets (see figure above), each pocket having a front panel and a back panel, at least one edge (5) of each pocket being open so that a piece of writing material can be inserted into that pocket, each front panel being sufficiently transparent to enable such a piece of writing material in the respective pocket to be seen through the front panel from the outside, the back panels being integrally formed with each other and connected by their edges edge-to-edge in a strip with means defining lines (2/3) between adjacent pockets along which those pockets can be readily separated, the back panels being sufficiently brittle that they can readily be snapped apart along the separation lines (6), and the back of the strip being self-adhesive to enable the pocket(s) separated from the strip to be adhered to a surface

**Claim 5:** Norberg discloses an information display arrangement (Column 3:9-11,17-19):

- including a continuous backing layer covering the self-adhesive back of the strip, the backing layer being tearable along the separation lines

and being peelable from the separated pocket(s) to expose the self-adhesive back(s) of the separated pocket(s)

**Claim 10:** Norberg discloses an information display arrangement where the pockets are each generally rectangular and are arranged longer-edge to longer-edge in the strip. Fig. 1

**Claim 11:** Norberg discloses an information display arrangement where the pockets are each generally rectangular with one of their shorter edges open 4. Fig. 1

4. Claims 14-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Norberg (EP 126833 A) disclosed on Applicant's IDS.

**Claim 14:** Norberg discloses an information display arrangement (Col 2:4-13 and Col 3:3-11):

- a plurality pockets (see figure above), each pocket having a front panel and a back panel, at least one edge (5) of each pocket being open so that a piece of writing material can be inserted into that pocket, each front panel being sufficiently transparent to enable such a piece of writing material in the respective pocket to be seen through the front panel from the outside, the pockets being connected by their edges edge-to-edge in a strip in such a way that one or more of the pockets can be readily separated from the remainder of the strip, the pockets being integrally formed with each other in the strip with means defining lines (2/3) between adjacent pockets along which those adjacent

pockets can be readily separated, the back of the strip being self-adhesive to enable the pocket(s) separated from the strip to be adhered to a surface and the arrangement further including a series of backing pieces each covering the self-adhesive back of a respective one of the pockets, each backing piece being peelable from the respective pocket to expose the self-adhesive back of the respective pocket

**Claim 15:** Norberg discloses an information display arrangement (Column 3:3-11):

- each backing piece is a piece of writing material of a size such that it can be inserted into the respective pocket

It is disclosed that the backing piece is cut at same time as the pockets and they are together, it is assumed the backing pieces and the pocket will be the same size which will allow the backing piece to be inserted into the pocket.

**Claim 16:** Norberg discloses an information display arrangement where the strip is flexible and is readily tearable along the separation lines 6. (Fig. 1)

**Claim 17:** Norberg discloses an information display arrangement where the back panels are integrally formed and are sufficiently brittle that they can readily be snapped apart along the separation lines 6. (Column 3:3-11)

**Claim 18:** Norberg discloses an information display arrangement where the pockets are each generally rectangular and are arranged longer-edge to longer-edge in the strip. Fig. 1

**Claim 19:** Norberg discloses an information display arrangement where the pockets are each generally rectangular with one of their shorter edges open 4.

Fig. 1

***Claim Rejections - 35 USC § 103***

5. Claims 12 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Norberg (EP 126833 A) in view of Rowling (US 4,193,498).

**Claim 12:** Norberg discloses the claimed invention as stated above in claim 1 except:

- a further such strip, the strips being connected by their edges edge-to-edge and being readily separable from each other

However Rowling discloses (Col 3:39-42):

- a further such strip 12, the strips being connected by their edges edge-to-edge and being readily separable from each other

Rowling shows that two rows of strips being edge to edge and separable was desirable in the art. It would have been obvious to one of ordinary skill in the art to provide an additional strip as taught by Rowling in order to provide additional pockets. It has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. 1727, 82 USPQ2d 1385 (2007).

**Claim 13:** Norberg discloses the claimed invention as stated above in claim 1 except:

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- in combination with a plurality of pieces of writing material, or a sheet that can readily be divided up into a plurality of pieces of writing material, each of which can be written on and inserted into one of the pockets

However Rowling discloses:

- in combination with a sheet 32 that can readily be divided up into a plurality of pieces of writing material, each of which can be written on and inserted into one of the pockets

Rowling shows that divisible sheets were desirable in the art. It would have been obvious to one of ordinary skill in the art to provide an additional divisible strip as taught by Rowling in order to provide additional pockets. It has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. 1727, 82 USPQ2d 1385 (2007).

6. Claims 20 and 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Norberg (EP 126833 A) in view of Rowling (US 4,193,498).

**Claim 20:** Norberg discloses the claimed invention as stated above in claim 14 except:

- a further such strip, the strips being connected by their edges edge-to-edge and being readily separable from each other

However Rowling discloses (Col 3:39-42):



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- a further such strip 12, the strips being connected by their edges edge-to-edge and being readily separable from each other

Rowling shows that two rows of strips being edge to edge and separable was desirable in the art. It would have been obvious to one of ordinary skill in the art to provide an additional strip as taught by Rowling in order to provide additional pockets. It has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. 1727, 82 USPQ2d 1385 (2007).

**Claim 21:** Norberg discloses the claimed invention as stated above in claim 14 except:

- in combination with a plurality of pieces of writing material, or a sheet that can readily be divided up into a plurality of pieces of writing material, each of which can be written on and inserted into one of the pockets

However Rowling discloses:

- in combination with a sheet 32 that can readily be divided up into a plurality of pieces of writing material, each of which can be written on and inserted into one of the pockets

Rowling shows that divisible sheets were desirable in the art. It would have been obvious to one of ordinary skill in the art to provide an additional divisible strip as taught by Rowling in order to provide additional pockets. It has been held that mere

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duplication of the essential working parts of a device involves only routine skill in the art. St. Regis Paper Co. v. Bemis Co., 193 USPQ 8. 1727, 82 USPQ2d 1385 (2007).

### ***Response to Arguments***

7. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENINE M. PAGAN whose telephone number is

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(571)270-3216. The examiner can normally be reached on Monday - Thursday, 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. Gregory Pickett/  
Primary Examiner, Art Unit 3728

/Jenine M Pagan/  
Examiner, Art Unit 3728

/J. M. P./  
Examiner, Art Unit 3728